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SUBJECT: A/SYG MULET BRIEFS COUNCIL ON SUDAN ELECTIONS

11. (SBU) Summary: In his August 20 briefing to the Council on Sudan elections, A/SYG Mulet discussed remaining challenges towards holding credible elections in April 2010: ensuring freedom of press, speech and assembly; reaching an agreement on census results; developing an operational plan and budget; and clarifying voter registration requirements. Mulet also discussed the Secretary-General's request for extra-budgetary resources to support elections. While welcoming the parties' commitment to hold elections, Security Council members agreed that substantial challenges remain, including security issues, the failure of Darfur rebels to engage in the peace process, and the risk that some voters could be disenfranchised. Some members questioned the UN's need for extrabudgetary resources to support elections and requested additional information. Ambassador Rice briefed Council members on the August 19 agreement between parties to the Comprehensive Peace Agreement (CPA) facilitated by SE Gration. End Summary.

Mulet's Briefing

12. (SBU) On August 20, Assistant Secretary General for the Department of Peacekeeping Operations (DPKO) Edmond Mulet briefed the Council on the Secretary General's Report on Elections in Sudan and its addendum requesting extrabudgetary resources to support elections. Mulet noted that the Darfuri movements and prominent political leaders from Southern Sudan have indicated that they will boycott elections if laws restricting freedom of speech, press and assembly are not amended by October. Mulet also discussed the Sudan People's Liberation Movement (SPLM) rejection of census results, noting that the census results reduce the number of legislative seats the SPLM would have from one-third to only one-fifth of the seats in the National Assembly. Mulet suggested that holding only Presidential elections could obviate the need to reach agreement on the census, but questioned whether this would be a sufficient step towards democratization.

13. (SBU) Mulet stressed that many technical requirements for elections remain outstanding. He noted that the NEC still needs to develop voter registration policies, in addition to an operational plan and budget. Mulet stressed that the UN Development Program (UNDP) would not be able to provide assistance without timely planning. He said that UNDP had revised its basket fund budget to 81 million dollars, an increase of 38 million over the initial projection. Mulet said that the fund had received 10 million, with 21 million pledged and 55 million outstanding.

UN Request for Extrabudgetary Resources

14. (SBU) Mulet discussed the UN's two phase approach, detailed in the SYG report. Phase One would include hiring 127 additional civilian personnel within current UN resources so that the UN can provide the same level of technical assistance to the north as it provided to the south. Mulet

said that the second phase of assistance would require Security Council authorization. Under Phase Two, the UN would hire 100 additional UN police officers to conduct elections security training in the south, and the UN would obtain air assets to assist with transporting registration and electoral material. Mulet urged the Council to authorize this additional expenditure (estimated at 46 million USD) quickly so that the UN could begin to enter into necessary contractual relations.

15. (SBU) Mulet underlined that the UN's request for additional resources was conditional. Only if three conditions were met, he said, would the UN need the additional funding. These conditions include (1) an enabling environment for free and fair elections; (2) developing an operational plan and budget; and (3) addressing registration concerns to prevent disenfranchisement of significant numbers of potential voters. Mulet stated that the Secretary General would notify the Council when these conditions had been met before releasing funds.

Rice's Intervention

16. (SBU) Noting that elections are a key benchmark in implementation of the Comprehensive Peace Agreement (CPA), Ambassador Rice briefed the Council on the August 19 Juba agreement between the parties facilitated by Special Envoy Gration. Rice said that Gration had mediated discussions between the two parties to the CPA -- the National Congress Party (NCP) and the SPLM -- for the last three months, beginning with the conference the U.S. hosted in Washington

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in June. Rice said that the parties had initialed an agreement that would be forwarded to the Presidency for signature. The agreement, Rice explained, advanced key aspects of CPA implementation, with timed benchmarks for issues such as wealth-sharing and Abyei border demarcation. Rice noted that the parties could not reach agreement on census data and that Gration would return to Juba September 7 for an additional round of negotiations on this issue.

17. (SBU) Rice also discussed critical elements for successful elections, emphasizing that the NEC must prevent voters from being disenfranchised by narrow registration requirements. Rice also said that political rights must be real, and the people of Sudan must believe in freedom of speech, assembly and press, both by law and in practice. She reinforced that the NEC must develop an operational plan and budget to secure funding from the international community. With regard to the extrabudgetary request, Rice said that, in principle, the U.S. supports ensuring adequate funding for elections and looks forward to further dialogue with DPKO. Rice reiterated that before funds would be released, the pre-conditions discussed by Mulet would have to be met.

P-5 Interventions

18. (SBU) France welcomed the Juba agreement brokered by Gration and noted that delays in election preparation were not only technical, but also political -- including legislative framework issues, the census dispute, and Darfur participation. France also said the people of Sudan must take ownership of elections, and the NEC must set forth its budget. France indicated that it would look closely at the UN request for extrabudgetary resources, as duplication of resources should be avoided. The UK said that in order for free and fair elections to take place, hostilities in Darfur must cease so that Darfuris can participate in elections. Regarding the request for extrabudgetary resources, the UK noted that PKO resources are already stretched and indicated that police training should be funded within UNMIS' existing budget.

¶9. (SBU) China characterized elections as a test for political parties in Sudan, and noted that security challenges created by the Darfur rebels and ethnic conflict in Southern Sudan must be addressed by political parties in Sudan and the international community. Russia focused on the 2011 referendum and said that not enough has been done to make unity attractive. Russia stressed that the international community should not create the impression that referendum results have been predetermined.

Other Interventions

¶10. (SBU) Libya expressed concern about pressing the NCP to implement timeframes for reaching benchmarks. Libya said that elections should not be held if this would cause confrontation or spread instability, and expressed fear that Sudan could be plunged into catastrophe. Regarding the 2011 referendum, Libya said that the atmosphere for a true referendum must be set, such that the South is aware of the consequences of its decision. Uganda highlighted concern with intercommunal violence in Southern Sudan. Turkey cautioned against the negative dynamic between the Government of Sudan and the political opposition, which has threatened to boycott elections, and also said that Darfur rebel movements lose the opportunity to establish their relevance by failing to engage in the peace process.

¶11. (SBU) Japan raised the tension between Chad and Sudan as complicating efforts to ensure elections security and requested additional information from the Secretariat regarding the extrabudgetary request. Mexico expressed support for the SYG's two phase approach to elections, including the extrabudgetary request.

Mulet's Response

¶12. (SBU) Mulet clarified that the census had been conducted without technical problems and the difficulties now were entirely political and related to the SPLM's concerns about diminished political influence. Mulet also said that the census results should not be interpreted in a way that would disenfranchise Darfur and Eastern Sudan. With regard to election timelines, Mulet expressed concern if elections get postponed further because this would result in elections being held too close to the 2011 referenda. Mulet noted that both parties need time and space to prepare for the

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referenda. Mulet also said that the Secretariat would be happy to discuss further with member states its extrabudgetary request.

RICE